



OFFICE OF INSPECTOR GENERAL

Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

MAR 05 2013

Shawn Musgrave
shawn@muckrock.com

Subject: Freedom of Information Act Request No. 2013-047 – Acknowledgement Letter

Dear Mr. Musgrave:

This acknowledges receipt of your Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) Office of Inspector General (OIG), dated January 30, 2013, and seeking a list of all investigations closed since 2010 (copy enclosed for reference). Your request also seeks a fee waiver. DHS-OIG received your request on February 1, 2013, and assigned it the above-referenced tracking number.

Your request has been placed in the queue for processing in the order in which it was received. Simple requests are answered more quickly and will be placed on the fast track of our multi-track processing system. More complex requests, including those calling for a particularly large volume of records, are segregated into a group designated as Project Requests. These require significantly more processing time and are processed separately in the order in which received. Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, DHS-OIG processes FOIA requests according to their order of receipt. Although DHS-OIG's goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period under 5 U.S.C. § 552(a)(6)(B). Because of the need to examine a voluminous amount of records, DHS-OIG hereby invokes this 10-day extension for your request, and estimates a response to your request to be provided within 30 business days. Please note, however, that the actual time required to respond to your request depends on the complexity of voluminous records located. If you care to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner.

As it relates to your fee waiver request, your request will be held in abeyance pending the quantification of responsive records. DHS FOIA Regulations, 6 CFR § 5.11(k)(2), set forth factors to examine in determining whether the applicable legal standard for a fee waiver has been met. We will therefore consider these factors in our evaluation of your request for a fee waiver:

1. Whether the subject of the requested records concerns "the operations or activities of the government;"
2. Whether the disclosure is "likely to contribute" to an understanding of government operations or activities;

3. Whether disclosure of the requested information will contribute to "public understanding," as opposed to the individual understanding of the requestor;
4. Whether the disclosure is likely to contribute "significantly" to public understanding of government operations or activities;
5. Whether the requester has a commercial interest that would be furthered by the requested disclosure; and
6. Whether any identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is "primarily in the commercial interest of the requester."

If any responsive records are located, we will consider the above factors in our evaluation of your request for a fee waiver. We will notify you in the event that your fee waiver is denied. You will also be charged for records in accordance with the DHS Interim FOIA regulations as they apply to non-commercial requesters. Non-commercial, or "other" requesters are entitled to the first 100 pages, and the first two hours of search time at no cost. After that you will be charged 10-cents a page for duplication, and the quarter-hour rate of pay assessed for personnel conducting the search and review (\$4.00, \$7.00, or \$10.25). We will construe the submission of your request as an agreement to pay up to \$25.00. You will be contacted before any further fees are accrued.

Should you have any questions, you may contact me at 202-632-0346, or write to: Freedom of Information Act Unit, DHS/Office of Inspector General, Office of Counsel, STOP 2600, 245 Murray Drive, S.W., Building 410, Washington, DC 20528-2600. Please refer to the above-referenced tracking number if you contact us regarding your request. If we require additional information, we will contact you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kirsten V. Teal".

Kirsten V. Teal
FOIA/PA Disclosure Specialist

Copy of the
FOIA Request

From: [Hillburg, William](#)
To: [Kuehn, Stephanie](#)
Subject: FW: Muckrock.com
Date: Friday, February 01, 2013 3:56:33 PM

FYI: This was sent to the OPA mailbox

From: Xi, Mohao
Sent: Friday, February 01, 2013 3:51 PM
To: Hillburg, William
Subject: Muckrock.com

According to the website, they “make tools to keep our government transparent and accountable.”

<https://www.muckrock.com/foi/united-states-of-america-10/dhs-oig-investigations-list-2636/>

From Shawn Musgrave on Jan. 30, 2013:

To Whom It May Concern:

This is a request under the Freedom of Information Act. I hereby request the following records:

A printout or listing of all investigations closed since 2010. Please include the following fields for each investigation:

- investigation opening and closing dates;
- case number;
- title of the investigation;
- subject or category of the investigation;
- disposition of the investigation.

I also request that, if appropriate, fees be waived as I believe this request is in the public interest. The requested documents will be made available to the general public free of charge as part of the public information service at MuckRock.com, processed by a representative of the news media/press and is made in the process of news gathering and not for commercial usage.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days, as the statute requires.

Sincerely,

Shawn Musgrave